



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of:

NANCY A. TAMMARO

Serial No.: 09/131,637

Filed: August 10, 1998

For: METHOD AND SYSTEM FOR INTERNET
BASED FINANCIAL AUTO CREDIT APPLICATION

Attorney Docket No.: FMC 0954 PUS (198-1414)

Group Art Unit: 2164

Examiner: J. Calve

Lorraine
August 15, 2002
#18/Appendix
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APPEAL BRIEF

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Sir:

This is an appeal brief from the final rejection of claims 1-3, 7-10, and 12 of the Office Action dated September 17, 2001. This application was filed on August 10, 1998.

I. REAL PARTY IN INTEREST

The real party in interest is Ford Global Technologies, Inc., a corporation organized and existing under the laws of the state of Michigan, and having a place of business at Dearborn, Michigan, as set forth in the assignment recorded in the U.S. Patent and Trademark Office on December 24, 1998 Reel 9664/Frame 0734.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Box AF, Commissioner for Patents, United States Patent and Trademark Office, Washington, D.C. 20231 on:

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John S. Le Roy
Signature

II. RELATED APPEALS AND INTERFERENCES

Applicants are not aware of any appeals or interferences related to the present appeal.

III. STATUS OF CLAIMS

Claims 1-3, 7-10 and 12 are pending in this application. These claims have been rejected and are the subject of this appeal.

IV. STATUS OF AMENDMENTS

No Amendment After Final Rejection has been filed.

V. SUMMARY OF THE INVENTION

This invention is directed to an online method and system enabling an automotive dealer to transmit loan application and vehicle licensing data over the Internet to facilitate loan processing and vehicle licensing. (Specification, p. 3, ll. 11-24; p. 6, ll. 25-32; p. 8, ll. 22-33.) At a dealership, a dealer inputs application and licensing data into a web form, and submits the appropriate data to a selected financial organization and licensing agency. Prior to transmitting the data to the financial organization and licensing agency, the invention reformats the data into a format that is suitable for processing by these entities. (Specification, p. 9, ll. 2-5; p. 10, ll. 19-22.) If the selected financial organization or licensing agency is not registered to receive the data, the invention may transmit the data via facsimile. (Specification, p. 3, ll. 25-31; p. 10, ll. 23-32; p. 11, ll. 1-20.)

As illustrated in Figure 1, a preferred system embodiment of the invention includes a personal computer (PC) 12 located at a dealership or other retail outlet. A user utilizes PC 12 to connect with Server 16 to gain access to a web-based loan/credit application form 18. Loan/credit application form 18 includes a series of screens for entering loan/credit application and licensing data for transmission to selected finance sources and service provider(s) (e.g., a licensing agency such as a state's department of motor vehicles).

Intermediate server 20 facilitates system and transaction record keeping. The server 20 operates to coordinate communication between one or more users and a plurality of participating service providers 52, finance sources 54, and other services 56, such as a department of motor vehicles. Communication with services 56 allows the present invention to automatically collect other information related to the vehicle sale/lease transaction, such information related to licensing and/or completion of standard department of motor vehicles forms, insurance forms, etc. This information is then forwarded to the appropriate service provider 56 via the Internet.

Server 20 additionally reformats or translates data as needed to facilitate communication between the different service providers, such as arranging the data in a format expected by the service provider.

Server 20 further includes a facsimile communication device 58. When the server 20 detects the selection of a finance source(s) 60 not stored in database 22, server 20 automatically reformats the loan data from the electronic credit application 18, and transmits the data via facsimile device 56 to the dealer-specified financial institution 58.

Figure 2 is a flowchart illustrating a preferred methodology for implementing the present invention. At block 100, a request for an electronic automotive credit/loan application is received from a dealer PC connected to the Internet. The requesting party is then checked at block 102 to determine if they are an authorized user. If not, the request is denied at block 104. If the requesting party is an authorized user, an HTML electronic credit/loan application form is generated at block 106 and transmitted to the requesting user at block 108.

As denoted at block 110, a completed electronic credit application form is received from the dealer by the intermediate system server 20. Information submitted with the form is processed and stored in database 22. At block 112, a determination is made as to whether the finance source or service provider designated in the application form is stored in the system database as a participating service provider. If so, the information is reformatted as needed and transmitted via the Internet to the designated finance source/provider at block 114.

However, if the designated finance source/provider is not in the database, the intermediate system server determines at block 116 whether the designated finance source/provider corresponds to a dealer chosen institution having associated facsimile information stored in a corresponding dealer file in database 22. If facsimile information is not available, the request is denied at block 118. If the facsimile information is available, the application information is then reformatted and facsimile transmitted to the designated finance source/provider at block 120.

VI. ISSUES

1. Are the pending claims patentable over DeFrancesco et al, U.S. patent 5,878,403, in view of Bennett et al, U.S. patent 6,092,121 or Mulqueen, John T., Users Test Real-Time Car Registration, Communications Week No. 454, p.15?

VII. GROUPING OF CLAIMS

Applicants believe that each of the claims stand or fall together.

VIII. ARGUMENT

Issue 1: Are the pending claims patentable over DeFrancesco et al, U.S. patent 5,878,403 ("DeFrancesco"), in view of Bennett et al, U.S. patent 6,092,121 ("Bennett") or Mulqueen, John T., Users Test Real-Time Car Registration, Communications Week No. 454, p.15 ("Mulqueen")?

The Examiner rejected the pending claims under 35 U.S.C. 103(a) as being unpatentable over DeFrancesco in view of Bennett or Mulqueen. However, the Examiner's proposed combination of DeFrancesco with Bennett or Mulqueen does not teach or suggest all of the claim limitations set forth in independent claims 1 or 8. In addition, none the references contain a suggestion or motivation to combine DeFrancesco with Bennett or Mulqueen in the manner suggested by the Examiner. The Examiner improperly relied on the level of skill in the art to combine these references. Accordingly, the Applicants believe that the invention as

disclosed and claimed is patentably distinguished over the combinations proposed by the Examiner.

In his final action, the Examiner acknowledged that DeFrancesco fails to teach or suggest “transmitting licensing information to a licensing agency to facilitate vehicle licensing and reformatting application information.” The Examiner also stated that Bennett discloses “an Internet-based method and system for electronic credit/loan applications, including transmitting licensing information to an appropriate licensing agency (e.g., DMV)(e.g., column 5, line 20 et seq) and reformatting information (e.g., for facsimile transmission, for service providers) (e.g., column 5, line 5 et seq).”

However, Applicants reiterate that Bennett does not teach or suggest (i) the collection of licensing information as part of an electronic loan application process, or (ii) the automatic transmission of that information to an appropriate licensing agency to facilitate licensing of the vehicle as set forth in claims 1 and 8.

More specifically, Bennett discloses a method and apparatus enabling dealers to retrieve pre-existing vehicle registration data from a state's department of motor vehicles (DMV) to “facilitate the sale of an automobile” at the dealership. (Bennett, column 3, lines 16-24.) According to Bennett, a dealer submits a query to a server in communication with a state's DMV “to verify” pre-existing registration and insurance information. In this case, the licensing information flows from the DMV to the dealership – not vice-versa as the Applicants have taught in the claimed invention.

The Examiner's reliance on lines 24-28 is misplaced. Taken in proper context, the only information that Bennett's exchange servers at the DMV arguably “receive” is an electronic query from the dealer for pre-existing registration information hosted and maintained by the DMV. The DMV, in Bennett, is not receiving “new” vehicle registration/licensing data for subsequent business processing (at the DMV). The content of the DMV databases remains the same. In Bennett, registration information is merely “verified.” Accordingly, no processing of dealer-submitted licensing information for vehicle licensing purposes takes place at the DMV.

In sum, Bennett neither teaches nor suggests the collection of licensing information during a loan/credit application or the transmission of that licensing information to a licensing agency for processing – i.e., providing the licensing agency with new information acquired during a loan/credit application process to facilitate the licensing agency's licensing of the vehicle at the licensing agency. This is an innovative concept in the art of electronically-enabled vehicle sales and licensing.

With regard to Mulqueen, the Examiner claims that this reference discloses the reformatting of loan application data and the transmission of licensing data to a licensing agency to streamline loan application processing. However, Mulqueen never even mentions loan application processing or reformatting loan application information. This reference provides no suggestion for integrating on-line vehicle registration with an electronic loan process by automatically transmitting collected vehicle licensing information to a licensing agency. Only Applicants' claimed invention recognizes the advantages of such an arrangement.

Applicants further note that claims 1 and 8 require automatic reformatting of the information received from a completed application form to be in a format suitable for processing by a designated institute or provider. Applicants again assert that the requirement for automatic reformatting is specifically claimed in the context of an Internet-based credit/loan application arrangement. Neither Bennett nor Mulqueen provide any suggestion of automatic reformatting into a form suitable for processing (in a business sense) by the service provider.

Finally, the Examiner has identified no explicit or implicit suggestion or motivation to combine DeFrancesco with Bennett or Mulqueen. Instead, the Examiner has improperly relied on the level of skill in the art to provide a suggestion to combine these references. See, MPEP § 2143.01 ("The level of skill in the art cannot be relied upon to provide the suggestion to combine references." citing *Al-Site Corp. v. VSI Int'l Inc.*, 174 F.3d 1308 (Fed. Cir. 1999).)

Applicants reiterate from previous responses that irrespective of whether collecting vehicle licensing information is old and well known, none of the asserted references teach or suggest a method and system for electronic loan/credit application which collects

vehicle licensing information in addition to the loan/credit application information, and automatically reformats and transmits the collected licensing information to an agency so that the agency may license the vehicles. With the present invention, the electronic loan/credit application form can be advantageously used to expedite and simplify not only the loan process, but the process for obtaining vehicle licensing at the appropriate licensing agency as well, thereby improving overall efficiency.

As such, Applicants contend that claims 1 and 8 are patentably distinguishable over DeFrancesco, Bennett and Mulqueen, individually or in combination. Applicants contend that claims 2, 3, 7, 9, 10, and 12 are allowable due to their respective dependency from either claim 1 or 8.

IX. SUMMARY

Applicant's invention as disclosed and claimed is patentably distinguishable over the prior art relied upon by the Examiner. As such, Applicants respectfully submit that the Examiner's rejection under 35 U.S.C. § 103(a) of all the pending claims should be reversed.

The fee of \$320 as applicable under the provisions of 37 C.F.R. § 1.17(c) should be charged to Deposit Account 06-1510. A duplicate of this notice is enclosed for this purpose.

Respectfully submitted,

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Enclosure - Appendix (3 pages)



IX. APPENDIX - CLAIMS ON APPEAL

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method for electronic credit/loan application processing for a user at an vehicle retail location having an Internet capable personal computer connected to an Internet server, said method comprising:

receiving a request via the Internet for an electronic loan/credit application form from the user;

generating the electronic loan/credit application form as a web page, said electronic form being generated to include an information field in which the user designates a particular financial institute or service provider;

receiving a completed application form from the user including licensing information associated with a vehicle being purchased or leased;

determining whether the designated financial institute or service provider is a system participant;

transmitting information from the completed application form via the Internet to the designated financial institute or service provider if the institute or provider is a system participant, or facsimile transmitting the information from the completed application form to the designated financial institute or service provider if the institute or provider has been preselected by the user;

automatically transmitting the collected vehicle licensing information to an appropriate licensing agency to facilitate licensing of the vehicle; and

automatically reformatting the information from the completed application form to be in a format suitable for processing by the designated institute or provider.

2. The method of claim 1 further comprising determining whether the requesting user is authorized to receive the electronic loan/credit application form.

3. The method of claim 1 wherein transmitting via the Internet is performed using encryption.

7. The method of claim 1 further comprising collecting vehicle insurance information as part of the electronic loan/credit application form.

8. A system for electronic credit/loan application processing comprising:
an Internet capable personal computer at a vehicle retail location; and
an intermediate system server for communicating over the Internet with the personal computer at the vehicle retail location and a plurality of participating financial institutions or service providers and an appropriate licensing agency, said intermediate system server comprising a computer processing system connected to a database and a facsimile transmission device, said computer processing system arranged to generate an electronic loan/credit application form as a web page in response to a request via the Internet from a user at the vehicle retail location, said electronic form having an information field in which the user designates a particular financial institute or service provider, and an information field in which licensing information associated with a vehicle being purchased or leased is input, wherein said computer processing system is further arranged to determine whether the designated financial institute or service provider is a system participant, and transmit information from a completed application form via the Internet to the designated financial institute or service provider if the institute or provider is a system participant, or alternatively facsimile transmit the information from the completed application form to the designated financial institute or service provider if the institute or provider is not participating but has been preselected by the user, automatically transmit the input vehicle licensing information to an appropriate licensing agency to facilitate licensing of the vehicle, and automatically reformat the information from the completed application form to be in a format suitable for processing by the designated institute or provider.

9. The system of claim 8 wherein said computer processing system accesses the database to verify whether the requesting user is authorized to receive the electronic loan/credit application form.

10. The system of claim of claim 8 wherein said computer processing system further comprises a means for encrypting transmissions over the Internet.

12. The system of claim 8 wherein said generated electronic loan/credit application form comprises a plurality of graphical user interface screens having data fields arranged to receive personal and vehicle transaction related information from the user.